

*Before Final - Official*

Practitioner's Docket No.: 782\_133

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED**

In re Application of: Yuichiro IMANISHI, Naohiro SHIMIZU and Shozo ISHII MAY 29 2003

Ser. No.: 09/669,815

Art Unit: 1753

**GROUP 1700**

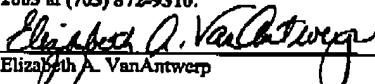
Filed: September 26, 2000

Examiner: Kishor Mayekar

Confirmation No.: 4229

For: METHOD OF TREATING SUBSTANCE AND APPARATUS FOR CARRYING OUT THE SAME

*12/W.M.  
5/29/03*Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 28, 2003 at (703) 872-9310.	
 Elizabeth A. VanAntwerp	

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed May 6, 2003, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1 and 4-10) in this application.

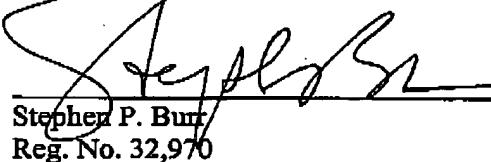
However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 39 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." It is respectfully submitted that this policy should apply in the present application in

order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

  
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